

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|--------------|-----------------------|-----------------|---------------|
| App. No.: | 10/567,920 | Att'y Docket: | 06-146 |
| Filing Date: | February 7, 2006 | Conf No.: | 5894 |
| Inventor(s): | Colin P. Healy et al. | Group Art Unit: | 3723 |
| Assignee: | | Examiner: | Lee D. Wilson |
| Title: | CLAMP | | |

Correspondence Address:
Customer Number 34704

DECLARATION OF SIMON SAMUEL LYNE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned, Simon Samuel Lyne declares as follows:


1. I am a co-inventor of the invention as set forth and claimed in the above-identified pending application (the '920 application). I understand that this application is being rejected based upon Wong (US Patent 6893012) which was filed in the United States on May 23, 2003.
2. I have reviewed the '920 application including claims 1-14 reflected in the preliminary amendment filed February 7, 2006.
3. I have personal knowledge of the development of the clamp of the '920 application.
4. The present inventors conceived and reduced to practice the clamp as shown and claimed in claims 1-14 of the '920 application by building a working prototype in Australia prior to May 23, 2003.
5. Attached are copies of invoices (dated May 1 through May 21, 2003) for components and services used by the inventors to make samples of such clamps after making the initial working prototype.
6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like

Ser. No. 10/567,920

Declaration of Simon Samuel Lyne

so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

By 
Simon Samuel Lyne
Date: 15-10-07

Enclosures: Five invoices

LASER and ALLIED Cutting Service

4 Forge St
Welshpool W.A. 6106

Internet work order No RHEALY

0305012

Palmer

Date 1-May-03

Tel 935841111

Fax 935841222

Order No

laser@mail.linel.net.au

Client **Rob Healy**

Contact Rob

Address

TAX INVOICE

Suburb

ABN 55 195 647 391

Fax No

Machine No 1

Phone No 049799 1238

244

5-May-03 Expected completion date

Payment

CASH SALE

| Prog No | Description or Part No | R | Mats | Cost | Ours | Qty | Price | Total |
|---------|---------------------------|---|------|------|------|-----|--------|----------|
| T117837 | MIDDLE CLAMP TOP PLATE | | 3M/S | 0.9 | Y | 100 | \$3.00 | \$300.00 |
| T117828 | Middle Clamp Bottom Plate | | 3M/S | 0.7 | Y | 100 | \$2.90 | \$290.00 |
| T124657 | Small Clamp Top Plate | | 3M/S | 0.6 | Y | 20 | \$2.60 | \$52.00 |
| T124658 | Small Clamp Top Plate | | 3M/S | 0.3 | Y | 20 | \$2.05 | \$41.00 |
| T124659 | Large Clamp Top Plate | | 3M/S | 2.2 | Y | 20 | \$4.80 | \$96.00 |
| T124660 | Large Clamp Bottom Plate | | 3M/S | 1.5 | Y | 20 | \$3.90 | \$78.00 |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

135.00

Comments

Good Smooth Finish

75 M 1/5 Required On Sides Off Cut

1/5 Check Holes Marked With
Gauge Supplied

inc

Total Cutting

\$857.00

Materials

Program cost

free

Low Volume

Other

Delivery

TOTAL

\$857.00

Gst @ 10%

\$95.70

Total Charges

\$942.70

Pick up signature *C P Healy*

Important: Notification is required within 3 days for us to recognise any discrepancies in delivered quantities, materials or cutting profiles

CRESTWELL PTY LTD T/as

A.C.N. Number: 009 238 573

A.B.N. Number: 75 009 238 573

Canning Vale Powder Coaters

PO Box 1137

CANNING VALE WA 6970

Ph: (08) 9455 3669

Fax: (08) 9455 7950

TAX INVOICE

Invoice #: 00004409

Date: 7/05/2003

Page: 1

Your Order #:

Bill To:

Ship To:

COD

Grey Dog Design
49 Bennett Drive
Canningvale 6155

| DESCRIPTION | AMOUNT | AMOUNT + TAX | TAX CODE |
|---------------------|---------|--------------|-------------|
| 80 sets of 4 clamps | \$80.00 | \$88.00 | GST |

Shipping Date:

Terms: C.O.D.

G.S.T.

\$8.00

CODE

RATE

TAX

SALE AMOUNT

Total Amount:

\$88.00

GST

10%

\$8.00

\$80.00

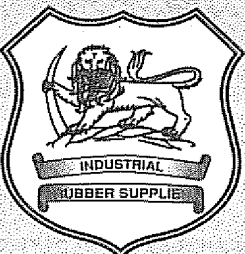
Amount Applied:

\$88.00

Balance Due:

\$0.00

"PLEASE REFER TO THE TERMS OF TRADING ON REVERSE"



INDUSTRIAL RUBBER SUPPLIES PTY. LTD.

ABN 52 009 427 141

ACN 009 427 141

102 BRIGGS STREET, WELSHPOOL,
WESTERN AUSTRALIA 6106
TELEPHONE: (08) 9362 5044
FACSIMILE: (08) 9470 9279

TAX INVOICE

SOLD
TO:

CASH SALES MAY 2003



| | |
|--------------|----------|
| INVOICE No. | 106229 |
| INVOICE DATE | 16/05/03 |
| ORDER No. | |
| ACCOUNT No. | CAMAY3 |

| Quantity | Unit | Description | Unit price | G.S.T. | Excl Price |
|----------|------|---------------------|------------|--------|------------|
| 100.000 | EACH | CHAIR TIP 6MM BLACK | 0.220 | 2.20 | 22.00 |

09:35:35

Goods received in good order

Signature *C P Neal* Purchaser

Signature *[Signature]* Seller

GREY DOG DESIGN

PICKED UP

ML

| | |
|-----------------|-------|
| Amount excl tax | 22.00 |
| | |
| G.S.T | 2.20 |
| | |
| TOTAL | 24.20 |

SUBJECT TO CONTRACT TERMS AND CONDITIONS OF SALE (see reverse)

Naval Base Zinc Electro-Plating

1222

Date:

ABN: 34 195 934 221

45 Frederic Street
NAVAL BASE wa 6165

Phone/Fax: (08) 9437 2220

Job No: _____ Order No: _____

Del/Dac No:

| Quantity | Description | Price ea/p.kg | \$ | c |
|----------|-----------------------|------------------|--------|---|
| 68 | BW THREADED PIN | 1.00 | 48 00 | |
| 62 | PIN. | 1.00 | 62 00 | |
| | BLACK. | | | |
| 17kg | ASSTD NUTS. SILVER | | | |
| | MIND CHARGE | | 30 00 | |
| | PAYD. | | | |
| | CASH | | | |
| | | | | |
| | | | | |
| | SUB TOTAL | | 140 00 | |
| | GST | | 14 00 | |
| | TOTAL | | 154 00 | |

Thank You.
We look forward to being of service to you again soon.

Thank You.

We look forward to being of service to you again soon.

CASER and ALLIED Cutting Service

Address: 18000 W. 15th St. Omaha, NE 68130

Phone: (402) 335-0411 Fax: (402) 335-0422

Internet: www.caserandallied.com

Client: **Bob Henry**

Address: **Bob Henry**

City: **Omaha**

State: **NE**

Zip: **68130**

Contract No.

TAX INVOICE

DATE: 04/12/02

Invoice No: 040729 1202

THURSDAY 12-04-02 Expected completion date

Payment: 0.00

| Part No. | Description or Part No. | QTY | Unit | Price | Total |
|----------|-------------------------|-----|------|-------|--------|
| 131261 | Top Clamp Bracket | 10 | | 10.00 | 100.00 |
| 131262 | Bottom Clamp Bracket | 10 | | 10.00 | 100.00 |

Comments:

FW

Total Cutting

100.00

Materials

Program cost

Low Volume

Other

Delivery

TOTAL

100.00

Get @ 18%

18.00

Total Charges

118.00

PAID TO: CASH/DEBIT

[Signature]

Any and all work shown is required within 3 days for us to take place unless indicated in delivered quantities. Materials or quantities not shown.

PALMER SHAW.